

United States Environmental Protection Agency
Washington DC 20460

EPA

Interagency Agreement /
Amendment

Part I - General Information

1. EPA / IAG Identification Number

DW9/938029-01-0

2. Other Agency ID Number

3. Type of Action

NEW PROJECT

4. Funding Location
by Region

HQ

5. Program Office
Abbreviation

OSWER/OERR

6. Name and Address of EPA Organization

ENVIRONMENTAL PROTECTION AGENCY
OSWER/OERR
401 M STREET, S.W. (5204G)
WASHINGTON, DC 20460

7. Name and Address of Other Agency

DEFENSE, DEPARTMENT OF
US ARMY CORPS OF ENGINEERS (ERD)
20 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, DC 20314

8. Project Title SUPERFUND MANAGEMENT AND SUPPORT ACTIVITIES - FY 1998

9. EPA Project Officer (Name, Address, Telephone Number)

BLANCHARD, JOHN, EPA
OSWER/OERR
401 M STREET, S.W., (5204G)
WASHINGTON, DC 20460
(703) 603-9031

10. Other Agency Project Officer (Name, Address, Telephone Number)

WADDELL, JAMES, DOD
USACE/ENVIRONMENTAL RESTORATION DIV.
20 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, DC 20314
(202) 761-8879

11. Project Period

09/18/97 to 10/31/98

12. Budget Period

09/18/97 to 10/31/98

13. Scope of Work (Attach additional sheets, as needed)

THIS AGREEMENT OBLIGATES \$2,500,000 TO THE U.S. ARMY CORPS OF ENGINEERS (USACE) FOR FISCAL YEAR 1998 MANAGEMENT AND SUPPORT OF ACTIVITIES TAKEN UNDER THE TERMS OF THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE USACE AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) IN EXECUTING THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT OF 1980 (CERCLA), AS AMENDED.

PURSUANT TO THE MOU, THE USACE WILL MANAGE DESIGN, CONSTRUCTION, AND RELATED TASKS FOR REMEDIAL ACTIONS ASSIGNED BY EPA AND ACCEPTED BY THE USACE, PROVIDE TECHNICAL ASSISTANCE TO EPA FOR ENFORCEMENT OVERSIGHT AND REMEDIAL INVESTIGATION AND FEASIBILITY STUDIES, WILL ASSIST EPA IN THE REVIEW OF STATE MANAGED PROJECTS AS TO THEIR SUITABILITY FOR BIDDING AND CONSTRUCTION.

THIS AGREEMENT AUTHORIZES FUNDING IN SUPPORT OF THE MOU FOR: (SEE ATTACHMENT A)

THE EPA GRANTS SPECIALIST FOR THIS IAG IS
BARBARA ARTIS, PHONE NO. (202) 564-5301.

COMMITMENT VERIFIED
Date 8/25/97 By BJA

14. Statutory Authority for Both Transfer of Funds and Project Activities
(See continuation page)

15. Other Agency Type
FEDERAL
AGENCY

FUNDS	PREVIOUS AMOUNT	AMOUNT THIS ACTION	AMENDED TOTAL
16. EPA Amount	0	2,500,000	
17. EPA In-Kind Amount	0	0	
18. Other Agency Amount	0	0	
19. Other Agency In-Kind Amount	0	0	
20. Total Project Cost	0	2,500,000	

21. Fiscal Information

Site Name	DCN	FY	Approp.	Budget Org.	Program Elem.	Object	Site/Project	Cost Org.	Obligation
	LA0002	97	T	72L	FAX	25.07	HQ00BM00		2,500,000

Part II - Approved Budget		EPA IAG Identification Number DW97938029-01-0
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	900,094	900,094
Inge Benefits	0	0
(c) Travel	77,757	77,757
(d) Equipment	35,344	35,344
(e) Supplies	0	0
(f) Procurement / Assistance	106,032	106,032
(g) Construction	0	0
(h) Other (Includes USACE Division Costs)	1,380,773	1,380,773
(i) Total Direct Charges	2,500,000	2,500,000
(j) Indirect Costs: Rate 0.00 % Base \$	0	0
(k) Total: (EPA Share: 100.00 %) (Other Agency Share 0.00 %)	2,500,000	2,500,000

23. Is Equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? ☒ Yes ☐ No
(Identify all equipment costing \$1000 or more.)

USACE equipment needs are unknown at this time. USACE shall report equipment acquisition in accordance with paragraph 3 Attachment B - Special Provisions.

24. Are any of these funds being used on extramural agreements? (See Item 22f.) ☒ Yes ☐ No

Type of extramural agreement ☐ Grant ☐ Cooperative Agreement ☒ Procurement (Includes Small Purchase Order)

Contractor / Recipient Name (if known) LOGISTICS MANAGEMENT INSTITUTE MALM ASSOCIATES	Total Extramural Amount under this Project 106,032	Percent Funded by EPA (if known) 100.00
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Part III - Funding Methods and Billing Instructions

25. ☒ Funds-Out Agreement (Note: EPA Agency Location Code (ALC) - 68010727)

☒ Disbursement Agreement

☒ Repayment Request for repayment of actual costs must be itemized on SF-1080 and submitted to the Financial Management Office, Cincinnati, OH 45268:
☒ Monthly ☐ Quarterly ☐ Upon Completion of Work

☐ Advance Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268.

☐ Allocation Transfer-Out Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of the Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.

26. ☐ Funds-In Agreement

☐ Reimbursement Agreement ☐ Repayment

☐ Allocation Transfer-In ☐ Advance

Other Agency's IAG Identification Number	EPA Program Office Allowance Holder/Resp. Center No. 72L
Other Agency's Billing Address (include ALC or Station Symbol Number)	Other Agency's Billing Instruction and Frequency

Part IV - Acceptance Conditions

EPA IAG Identification Number

DW97938029-01-0

27. General Conditions

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

28. Special Conditions (Attach additional sheets if needed)

(See Attachment B) ,

Part V - Offer and Acceptance

Note: 1) For Fund-out actions, the agreement/amendment must be signed by the other agency official in duplicate and the one original returned to the Grants Administration division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in Item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of the offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official, which the Action Official determines to materially alter the agreement/amendment, shall void the agreement/amendment.

2) For Funds-in actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

29. Organization/Address

US Environmental Protection Agency
Grants Operations Branch B
Grants Administration Division
401 M Street, SW (3903R)
Washington, DC 20460

30. Organization/Address

Office of Emergency & Remedial Response (5204G)
Office of Solid Waste & Emergency Response
USEPA
401 M St., S.W.
Washington, D.C. 20460

Certification

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Decision Official on Behalf of the Environmental Protection Agency Program Office

31. Signature



Typed Name and Title


Timothy Fields, Jr., Acting Asst. Admin.
Office of Solid Waste & Emergency Response

Date

7-17-97

Action Official on behalf of the Environmental Protection Agency

32. Signature



Typed Name and Title

W. Scott McMoran, Chief
Grants Operations Branch B

Date

9/23/97

Authorizing Official on Behalf of the Other Agency

33. Signature



Typed Name and Title

James M. Waddell, Chief
EPA Superfund Branch

Date

9/24/97

EPA Form 1610-1 (Rev. 10-88) Previous editions are obsolete.

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Richard C. Armstrong, P.E.

Deputy Director

Directorate of Military Programs

When requesting payments, a breakdown of the cost associated with the billing request must be provided to the EPA Project Officer. This information should allow the Project Officer to determine that costs billed to EPA are necessary and reasonable. If the information is not provided, the EPA Project Officer will notify FMD to suspend or charge back the payment of the invoice.

Attachment A

U.S. Army Corps of Engineers
Management and Support Activities
October 1, 1997 through October 31, 1998

SCOPE OF WORK - continued (item 13)

(1) STAFFING: Provide funding for staff salaries and expenses for USACE Headquarters and Division offices.

(2) HEADQUARTERS: Provide guidance and general assistance to EPA headquarters and regional offices, perform management activities, provide management guidance, conduct Washington-level program review and coordination, and conduct design and construction oversight of projects assigned to USACE.

(3) DIVISION OFFICES: Provide regional executive direction and management of design and construction, and supervision of USACE districts' Superfund programs; provide a regional EPA Superfund coordinator; provide project management and coordination, including liaison with EPA regional offices; and provide general assistance to EPA headquarters, EPA regional offices, and other USACE divisions/districts.

(4) DESIGN DISTRICTS: Provide general assistance to EPA headquarters, EPA regional offices, and other USACE divisions/districts. Review guidance materials; interface with private industry contractors and organizations, and maintain files on experienced contractors interested in bidding on Superfund design and construction projects.

All personnel billets will come from within the USACE's existing ceiling.

(5) TRAVEL: Provide funding for non site-specific travel by policy making and technical personnel for program management and familiarization. USACE personnel will travel within existing USACE travel ceilings.

(6) TRAINING: Provide funding to train USACE personnel on the procedures and technology related to USACE assigned hazardous waste (Superfund) work.

Attachment A, Continued

(7) Automated Data Processing (ADP): Provide funding to cover activities necessary to meet EPA and USACE reporting requirements, including the operation, maintenance and further development of information for tracking Superfund activities.

Attachment B

U.S. Army Corps of Engineers
Management and Support Activities
October 1, 1997 through October 31, 1998

SPECIAL PROVISIONS - continued (item 28)

1. Indirect Costs - The USACE certifies: 1) that any indirect costs included in billings to EPA represents, in accordance with GAO principles, indirect cost that are funded out of USACE's currently available appropriations and that bear a significant relationship to USACE's service or work, or 2) that statutory authority exists for charging other than these costs of performance. If an audit determines that any direct or indirect costs charged to EPA are not allowable, EPA will be notified immediately following the resolution of the audit and EPA will be credited with these costs.

2. USACE will provide an annual inventory of all non-expendable equipment purchases exceeding \$1,000.00 with a life expectancy of two years or more.

3. USACE will follow EPA's property disposition instructions.

4. Method of Payment - The USACE will request reimbursement of actual costs via SF 1080 or SF 1081. The USACE will make payment request via submission of SF 1080 or SF 1081 to the Financial Management Office, Environmental Protection Agency, 26 West Saint Clair Street, Cincinnati, Ohio, 45268.

5. Reporting Requirements - The USACE will provide the EPA with monthly status reports, due on the 20th day of each month, containing a narrative status of activities conducted under this agreement. The reports shall be submitted to:

a) USACE/EPA Project Officer
OSWER/OERR (5204G)
401 M Street, S.W.
Washington, DC 20460

b) Comptroller
Environmental Protection Agency (PM-225)
401 M Street, S.W.
Washington, DC 20460

Attachment B, Continued

6. USACE will provide a worksheet and copies of SF 1080s or SF 1081s from all other USACE Divisions whose costs comprise the "USACE Division Costs" budget category. The worksheet shall be in the form of a matrix showing the budget categories of this agreement as one side of the matrix and the USACE Divisions, headquarters, and specific assigned tasks as the other.

7. EPA's policy requires at least 8% of its Federal funding for prime and subcontracts be awarded to businesses or other organizations owned or controlled by socially and economically disadvantaged individuals.

USACE, as a recipient of Superfund monies under this IAG, must ensure, to the fullest extent possible, that at least 8% of funds for prime or subcontracts and subgrants for services are made to businesses owned or controlled by socially and economically disadvantaged individuals, women-owned businesses, and Historically Black Colleges and Universities (DBE).

USACE must submit annual reports to EPA showing the actual amount and percentage of extramural funds awarded to DBEs by December 15, 1997 and December 15, 1998 respectively. Reports should be submitted to :

Senior Program Officer
Office of Small and Disadvantaged Business Utilization
(A-149C)
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, DC 20460

8. The USACE shall comply with the Quality Assurance requirements contained in: 40 CFR Chapter 1, Subpart B, 30.200; the NCP; and the Interagency Agreement Policy and Procedures Compendium (September 1988), as appropriate.

September 18, 1997

EPA Reference: DW97938029-01-0

**Superfund IAG Minority Business Utilization
Special Condition**

In accordance with CERCLA, as amended (P.L. 99-499), Section 105 (f), any Federal agency awarding contracts, grants or cooperative agreements utilizing Superfund monies shall consider the availability of minority contractors for participation in contracts. This includes, but is not limited to: contracts, subcontracts, SBA 8(a) awards and any subagreements.

The Department of Defense/COE , as a recipient of Superfund monies under this IAG, must report annually on minority contractor participation and efforts taken to encourage the utilization of minority firms.

Reports will be forwarded annually (by December 15th) to:

Director, Office of Small and Disadvantaged
Business Utilization (1230C)
ATTN: Procurement Under Assistance Programs
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, DC 20460

Reports will be submitted on EPA Forms 6005-3, "Superfund Minority Contractors Utilization Report", and 6005-3A, "Superfund Minority Contractors Utilization Report - Part 2" (copies attached).



United States Environmental Protection Agency
Washington, DC 20460

Superfund Minority Contractors Utilization Report

(Section 105(f) - P.L. 99-499)

Please read instructions on reverse side.

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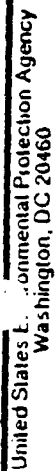
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Instructions

1. Self explanatory.
2. If direct procurement, contract number; if award is made under financial assistance, the grant number.
3. Self explanatory.
4. Date signed by the awarding official.
5. For direct procurement on top line cite the basic contract award amount; on second line cite total contract award amount including all options. For financial assistance cite total amount of award of the subagreement.
6. On the top line cite beginning date of performance, on second line cite ending date of performance. Applies to both direct procurement and financial assistance.
7. For direct procurement cite whether award was made under SBA Section 8(a) or direct minority contracting. For financial assistance cite only FA.
8. For both direct procurement and financial assistance cite whether award was a prime contract (PC) or subcontract (SC).
9. For both direct procurement and financial assistance cite the location or site where the work is to be performed.
10. Name of Agency, use one of the following abbreviations for the Agency procuring the supplies and/or services. In financial assistance, cite the Agency plus the State or recipient who made the award. Example: EPA-NY.

EPA = Environmental Protection Agency
HHS/ATSDR = Health & Human Services, Agency for Toxic Substances Disease Registry
HHS/NIEH = Health & Human Services, National Institute for Environmental Health Services
FEMA = Federal Emergency Management Administration
DOI = Department of the Interior
DOL/OSHA = Department of Labor, Occupational Safety & Health Administration Agency
DOT/USCG = Department of Transportation, U.S. Coast Guard
DOD/COE = Department of Defense, U.S. Army Corps of Engineers
DOC/NOAA = Department of Commerce, National Oceanic and Atmospheric Administration
DOJ = Department of Justice



Superfund Minority Contractors Utilization Report -- Part 2

(Section 105(1) -- P.L. 99-499)

Please read instructions on reverse side.

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Instructions

1. Action: Any action taken to encourage the utilization of minority contractors on Superfund programs/projects. This may include, but is not limited to such actions as, news releases, letters, notices, workshops, seminars, training and orientation, etc.
2. Location: Cite city and state where the action took place, e.g., MBE Training Workshop, Chicago, IL; News release, Washington, DC, etc.
3. Agency Code: Use the following abbreviations for the Agency which is carrying out or conducting the action.

EPA = Environmental Protection Agency
HHS/ATSDR = Health & Human Services, Agency for Toxic Substances Disease Registry
HHS/NIEH = Health & Human Services, National Institute for Environmental Health Services
FEMA = Federal Emergency Management Administration
DOI = Department of the Interior
DOL/OSHA = Department of Labor, Occupational Safety & Health Administration Agency
DOT/USCG = Department of Transportation, U.S. Coast Guard
DOD/COE = Department of Defense, U.S. Army Corps of Engineers
DOC/NOAA = Department of Commerce, National Oceanic and Atmospheric Administration
DOJ = Department of Justice

4. Date(s): From and To. Cite dates by month, day, and year, e.g., 06 15 87 for June 15, 1987.
5. Date(s): If the action is a newsletter, letter, etc., use only the first column for the date. For any workshops, seminars, training, etc., use both the "From" and "To" columns.
6. Remarks: Add any comments you deem necessary to further explain, clarify actions taken to encourage the utilization of minority contractors.
- Note: At the end of each entry, please draw a line to distinguish the end of one entry and the beginning of a new entry.

This worksheet (Part 2) should accompany your Part 1 when it is submitted to EPA.